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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/077,197	02/15/2002	Eric Davis	18360/237570	9507
826	7590	08/25/2005	EXAMINER	
ALSTON & BIRD LLP BANK OF AMERICA PLAZA 101 SOUTH TRYON STREET, SUITE 4000 CHARLOTTE, NC 28280-4000			BADII, BEHRANG	
			ART UNIT	PAPER NUMBER
			3621	

DATE MAILED: 08/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/077,197	<b>Applicant(s)</b> DAVIS ET AL.	
	<b>Examiner</b> Behrang Badii	<b>Art Unit</b> 3621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 16 June 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 May 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 8/11/03.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

Applicant's election with traverse of claims 1-9 in the reply filed on 6/16/05 is acknowledged. There were no arguments with the traversal.

The requirement is still deemed proper and is therefore made FINAL. A complete reply to the final rejection must include cancellation of nonelected claims or other appropriate action (37 CFR 1.144) See MPEP § 821.01.

Claims 10-32 are hereby cancelled.

Claims 1-9 have been examined. p = paragraph, i.e. p1 = paragraphs1.

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 & 8 rejected under 35 U.S.C. 103(a) as being unpatentable over Kusakabe et al., U.S. patent application publication 2001/0029579, and further in view of Sampson et al. U.S. patent 6,058,392.

As per claim 1, Kusakabe et al. discloses a method of selectively providing user access to a network application, comprising the steps of:

issuing a first key to a user, wherein said first key gives said user access to an input record format associated with said network application (abstract),;  
issuing a second key to said user (abstract, p51 & 76).

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Kusakabe et al. does not disclose a first key field and a second key field; receiving an input from said user, said input associated with said network application and formatted according to said input record format; and allowing said network application to process said input if said first key field of said input contains said first key and said second key field of said input contains said second key.

Sampson et al. discloses a first key field and a second key field (abstract); input associated with said network application and formatted according to said input record format (data entry; abstract); and allowing said network application to process said input if said first key field of said input contains said first key and said second key field of said input contains said second key (abstract; col.6, 34-50).

It would have been obvious to modify Kusakabe et al. to include a first key field and a second key field;

input associated with said network application and formatted according to said input record format (data entry; abstract); and

allowing said network application to process said input if said first key field of said input contains said first key and said second key field of said input contains said second key in order to have each data entry line or group associated with a certain key field to make searching the database in the future faster by relying on the unique key fields.

As per claim 8, Kusakabe et al. discloses a method of selectively providing user access to a network application as discussed above. Kusakabe et al. does

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not disclose wherein said first and second keys issued to said user are unique to said user. Sampson et al. discloses unique keys (abstract; col. 6, 34-50). It would have been obvious to modify Kusakabe et al. to include unique keys such as that taught by Sampson et al. in order for each user to have a separate key for accessing the application.

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kusakabe et al., U.S. patent application publication 2001/0029579 as applied to claim 1 above, and further in view of Pavlin et al., U.S. patent application publication 2003/0110388.

As per claim 2, Kusakabe et al discloses a method of selectively providing user access to a network application as discussed above. Kusakabe et al. further discloses an access key (abstract). Kusakabe et al. does not disclose a developer key. Pavlin et al. discloses a developer key (p89). It would have been obvious to modify Kusakabe et al. to include a developer key such as that taught by Pavlin et al. in for the developer and access key to have distinguishable features such that one can not be used in the place of the other.

Claims 3-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kusakabe et al., U.S. patent application publication 2001/0029579 as applied to claim 1 above, and further in view of Folmsbee, U.S. patent 6,665,796.

As per claims 3-7, Kusakabe et al. discloses a method of selectively providing user access to a network application as discussed above. Kusakabe et al. further discloses first key issuance (abstract), second key issuance (abstract). Kusakabe et al. does not disclose a license agreement before issuing the keys or

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a user of a third party software. Sampson et al. discloses a license agreement and a user of a third party software (col.1, 34-47). It would have been obvious to modify Kusakabe et al. to include a license agreement and a user of a third party software such as that taught by Folmsbee in order to have both parties agree within a license agreement before the application is accessed such that the developer is safe from undue usage of the software/system.

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kusakabe et al., U.S. patent application publication 2001/0029579 as applied to claim 1 above, and further in view of Sampson et al. U.S. patent 6,058,392 and Folmsbee, U.S. patent 6,665,796.

As per claim 9, Kusakabe et al. discloses a method of selectively providing user access to a network application as discussed above. Kusakabe et al. does not disclose a common key or a unique key. Folmsbee discloses a common key (col.7, 35 – 45) and Sampson et al. discloses unique key (col. 6, 34-50). It would have been obvious to modify Kusakabe et al. to include a common key such as that taught by Folmsbee and a unique key such as taught by Sampson et al. in order to have the unique key in place such that each user can access the application with his/her key such that the owner of the application has a record of exactly which entity has accessed the application.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Behrang Badii whose telephone number is 571-272-6879. The examiner can normally be reached on Monday-Friday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 571-272-6712. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**Any response to this action should be mailed to:**

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P.O. Box 1450  
Alexandria, VA 22313-1450

**or faxed to (703)872-9306**

Hand delivered responses should be brought to

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 3600

Customer Service Office whose telephone number is **(703) 306-5771**.

Behrang Badii  
Patent Examiner  
Art Unit 3621

BB

*Nida Gue S*  
PRIMARY EXAMINER